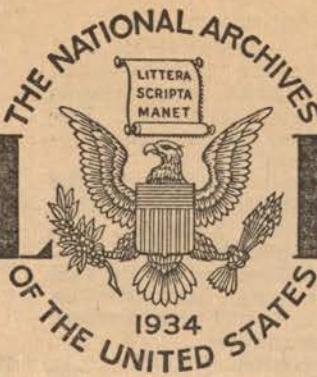


FEDERAL REGISTER



VOLUME 14

NUMBER 22

Washington, Thursday, February 3, 1949

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

PART 7—REINSTATEMENT

PART 10—SPECIAL TRANSITIONAL PROCEDURES

MISCELLANEOUS AMENDMENTS

1. Section 2.107 (c) (1) is amended to read as follows:

§ 2.107 Eligible registers. * * *

(c) (1) Veterans who were in the armed forces of the United States subsequent to May 1, 1940, and for that reason lost eligibility on a register established before March 6, 1946 and during the period that the register was used for probational appointment, shall have their names entered on the appropriate successor register if they:

(i) Have been honorably separated from the armed forces;

(ii) Are still qualified to perform the duties of the position for which the register is used; and

(iii) Make application for entrance on the register within 90 days after separation from active service or from hospitalization continuing after discharge for a period of not more than one year. Such persons shall be restored to the successor register, for the life of such register, in accordance with their former ratings as augmented by preference points, except as provided in subparagraph (2) of this paragraph.

2. Subparagraph (3) of § 7.103 (a) is amended and a new subparagraph (4) is added, as follows:

§ 7.103 Commission approval required for certain reinstatements. (a) * * *

(3) The person proposed for reinstatement was removed for cause from his last position in the Federal or District of Columbia Government, unless such person is being reinstated to his former position as the result of an appeal and decision by higher authority within the agency that his removal was unjustified or unwarranted.

(4) The person proposed for reinstatement was removed at the specific request of the Commission for any of the reasons stated in § 2.104 of this chapter.

3. A new paragraph (b) is added to § 10.102 as follows:

§ 10.102 Reappointment of war service indefinite employees during the transitional period. * * *

(b) A former employee who has appealed from removal to higher authority within the agency, and whose removal has been found to be unwarranted or unjustified, may be reappointed to his former position, without meeting the requirements of this section, provided his displacement would not have already been ordered by the Commission.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 9830, Feb. 24, 1947, 12 F. R. 1259)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,

President.

[F. R. Doc. 49-805; Filed, Feb. 2, 1949; 8:56 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

REDESIGNATIONS OF CERTAIN PARTS

EDITORIAL NOTE: In Parts 29, 30, 42, and 162 of Title 7, Chapter I, the following redesignations have been made:

PART 29		Present designation
Former designation	Sec.	Present designation
Sec. 29.051.	29.1	
29.052	29.2	
Undesignated paragraph preceding 29.13.	29.12	Terms defined
29.101 to 29.106	29.201 to 29.206	
29.107	29.211	
29.107(1) to (53), inclusive	29.212 to 29.264	
29.108	29.271	
29.108 Rule 1 to Rule 11	29.272 to 29.282	
29.151 to 29.155	29.301 to 29.305	
29.156	29.311	

(Continued on next page)

CONTENTS

	Page
Agriculture Department	
See also Rural Electrification Administration.	
Rules and regulations:	
Redesignations of certain parts—	465
Reorganization of chapter—	466
Alien Property, Office of Notices:	
Vesting orders, etc.:	
Dibbern, John, and Wells Fargo Bank & Union Trust Co.—	474
Ito, Yasuichi—	474
Lindemann, Paul, et al.—	475
Reubel, Bertha—	474
Saiki, Senzo—	474
Schlens, Christel L.—	475
Schwarz, Clara Sielchen, and Irving Bank - Columbia Trust Co.—	473
Tofukuji, Dr. K—	476
Civil Aeronautics Board	
Notices:	
Bureau of Economic Regulations; delegations of authority—	472
Delegations of authority; contract approval—	473
Civil Service Commission	
Rules and regulations:	
Appointment through competitive system—	465
Reinstatement—	465
Special transitional procedures—	465
Interior Department	
See also Land Management, Bureau of; Reclamation Bureau.	
Notices:	
Cheyenne River Reservation, South Dakota; amendment of restoration order—	471
Justice Department	
See Alien Property, Office of.	
Land Management, Bureau of	
Notices:	
Classification orders:	
California (2 documents)—	468
Nevada (2 documents)—	469



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CONTENTS—Continued

Reclamation Bureau

Page

Notices:	
Annual water rental charges:	
Gila irrigation project, Arizona	470
Shoshone irrigation project, Wyoming	470

Rural Electrification Administration

Notices:

Allocation of funds for loans; rescission	471
Loan announcements (5 documents)	471, 472

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 5—Administrative Personnel

Page

Chapter I—Civil Service Commission:	
Part 2—Appointment through the competitive system	465
Part 7—Reinstatement	465
Part 10—Special transitional procedures	465

Title 7—Agriculture

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture:	
Part 29—Tobacco inspection	465
Part 30—Tobacco stocks and standards	465
Part 42—Eggs and egg products (standards and grades)	465

RULES AND REGULATIONS

CODIFICATION GUIDE—Con.

Title 7—Agriculture—Con.	Page
Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture—Continued	
Part 162—Regulations for the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act	465
Chapter VIII—Production and Marketing Administration (Sugar Branch), Department of Agriculture:	
Reorganization of chapter	466

PART 29—Continued

Former designation	Present designation
Sec.	Sec.
29.156 (a) to (zz)	29.312 to 29.363
29.157	29.371
29.157 Rule 1 to Rule 13	29.372 to 29.384
29.201 to 29.205	29.401 to 29.405
29.206	29.411
29.206 (a) to (pp)	29.412 to 29.453
29.207	29.461
29.207 Rule 1 to Rule 12	29.462 to 29.473
29.251 to 29.256	29.501 to 29.506
29.257	29.511
29.257 Undesignated definitions.	29.512 to 29.563
29.258	29.571
29.258 Rule 1 to Rule 11	29.572 to 29.582
29.301	29.601

Former designation

801.20 to 801.38	
801.101 to 801.109	
821.12	
821.05 and 821.06	
821.13 to 821.20	
801.81 Definition of marketing	

801.41 to 801.45	
801.51 to 801.53	
801.61 to 801.66	
801.91 to 801.94	
802.2 Determination of producers who are also processors of sugar beets or sugarcane.	

802.1 Determination of a farm for the purposes of the Sugar Act of 1937, as amended.

802.30 Determination of a farm in connection with the production of sugarcane during the crop year 1937 for the Territory of Hawaii.

802.40 Definition of a farm in Puerto Rico.

802.54 Definition of a farm in the Virgin Islands.

802.11 Determination of sugar commercially recoverable from sugar beets.

802.21 Sugar commercially recoverable from sugarcane in the Mainland cane sugar area.

PART 30

Former designation	Present designation
Sec.	Sec.
30.1 (a) to (t)	30.2 to 30.21
30.2	30.31
30.3 to 30.11	30.36 to 30.44

PART 42

42.1 (a) to 42.1 (h)	42.2 to 42.9
42.2 (a)	42.30
42.2 (b)	42.31
Table headed "a summary of specifications".	42.32
42.2 (c)	42.33
42.2 (d)	42.34

PART 162—APPENDIX

Interpretation:	Interpretation:
1	162.100
3	162.101
4	162.102
5	162.103
6	162.104
7	162.105
8	162.106
9	162.107
	10
	11
	12
	13
	14
	15
	16
	17

Chapter VIII—Production and Marketing Administration (Sugar Branch)

REORGANIZATION OF CHAPTER

EDITORIAL NOTE: Chapter VIII of Title 7 has been reorganized and the parts and sections have been redesignated as set forth below:

Present designation
Part 801—Practice and procedure; sugar quotas: 801.1 to 801.19.
Part 802—Practice and procedure; price and wage proceedings: 802.1 to 802.9.
Part 811—Sugar requirements; continental United States: 811.1.
Part 812—Sugar requirements and quotas; Hawaii and Puerto Rico: 812.1 and 812.2.
Part 813—Sugar quotas and prorations of quota deficits: 813.1 to 813.8.
Part 815—Marketing of sugar: 815.1 Marketing of sugar produced from sugar beets and sugarcane grown in continental United States.
Part 816—Excess-quota sugar: 816.1 to 816.5.
Part 817—Entry of sugar into the continental United States: 817.1 to 817.3.
Part 818—Entry of sugar into the continental United States for re-export: 818.1 to 818.6.
Part 819—Entry or marketing of sugar for alcohol of livestock feed: 819.1 to 819.4.
Part 821—Determination of producer-processor: 821.1 Determination of producer-processor.
Part 822—Determination of a farm; continental United States: 822.1 Determination of a farm; continental United States.
Part 826—Determination of a farm; Hawaii: 826.1 Determination of a farm; Hawaii.
Part 827—Determination of a farm; Puerto Rico: 827.1 Determination of a farm; Puerto Rico.
Part 828—Determination of a farm; Virgin Islands: 828.1 Determination of a farm; Virgin Islands.
Part 831—Determination of sugar commercially recoverable; beet sugar area: 831.1 Sugar commercially recoverable from sugar beets.
Part 833—Determination of sugar commercially recoverable; mainland cane area: 833.1 Sugar commercially recoverable from mainland sugarcane.

Former designation	Present designation	Former designation	Present designation
802.31 Sugar commercially recoverable from sugarcane in the Territory of Hawaii.	Part 836—Determination of sugar commercially recoverable; Territory of Hawaii: sugar commercially recoverable from sugarcane in the Territory of Hawaii.	802.3 Proportionate shares for farms in the domestic beet, mainland cane, Hawaiian and Virgin Islands areas.	Part 850—Determination of proportionate shares; domestic beet, mainland cane, Hawaii, Virgin Islands sugar-producing areas; 860.1 Proportionate shares for farms in the domestic beet, mainland cane, Hawaii, and Virgin Islands sugar-producing areas for the 1948 crop.
802.41 Sugar commercially recoverable from sugarcane in Puerto Rico.	Part 837—Determination of sugar commercially recoverable; Puerto Rico: 837.1 Sugar commercially recoverable from sugarcane in Puerto Rico.	802.46 Proportionate shares for sugarcane farms in Puerto Rico for the 1948-49 crop.	Part 857—Determination of proportionate shares; Puerto Rico; 857.1 Fair and reasonable wage rates for farms in Puerto Rico for the 1948-49 crop.
802.52 Sugar commercially recoverable from sugarcane in the Virgin Islands.	Part 838—Determination of sugar commercially recoverable; Virgin Islands: 838.1 Sugar commercially recoverable from sugarcane in the Virgin Islands.	802.13 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugar beets in California.	Part 861—Determination of wage rates; sugar beets; California: 861.1 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugar beets in California.
802.15 Normal yields of commercially recoverable sugar per acre for sugar beets.	Part 841—Determination of normal yields; sugar beets: 841.1 Normal yields of commercially recoverable sugar per acre for sugar beets.	802.13a Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugar beets in California.	Part 861—Determination of wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugar beets in California.
802.16 Determination of eligibility for payment with respect to abandonment and crop deficiency for farms in the domestic beet sugar area.	Part 842—Determination of eligibility for abandonment and crop deficiency payments; sugar beets: 842.1 Eligibility for payment with respect to abandonment and crop deficiency for farms in the domestic beet sugar area.	802.13 Fair and reasonable wage rates for sugar beets in California.	Part 862—Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugar beets in California.
802.28 Normal yields of commercially recoverable sugar per acre and eligibility for payments with respect to abandonment and crop deficiency for sugarcane farms in Florida.	Part 843—Determination of normal yields and eligibility for abandonment and crop deficiency payments; Florida: 843.1 Normal yields of commercially recoverable sugar per acre and eligibility for payments with respect to abandonment and crop deficiency for sugarcane farms in Florida.	802.23 Fair and reasonable wage rates for persons employed in the production, cultivation, and harvesting of sugarcane in Florida during the period July 1, 1948 to June 30, 1949.	Part 863—Determination of wage rates; sugarcane; Florida: 863.1 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida during the period July 1, 1948 to June 30, 1949.
802.25 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Mainland cane sugar area.	Part 844—Determination of normal yields and eligibility for abandonment and crop deficiency payments; Louisiana: 844.1 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Louisiana.	802.27 Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1949.	Part 864—Determination of wage rates; sugarcane (production and cultivation); Louisiana: 864.1 Fair and reasonable wage rates for persons employed in the production and cultivation of sugarcane in Louisiana during the calendar year 1949.
802.35 Normal yield of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Territory of Hawaii.	Part 846—Determination of normal yields and eligibility for abandonment and crop deficiency payments; Hawaii: 846.1 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Hawaii.	802.24 Fair and reasonable wage rates for persons employed in the harvesting of the 1948 crop of sugarcane in Louisiana.	Part 865—Determination of wage rates; sugarcane; Hawaii: 865.1 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of the 1948 crop of sugarcane in Louisiana.
802.45 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Puerto Rico.	Part 848—Determination of normal yields and eligibility for abandonment and crop deficiency payments; Puerto Rico: 848.1 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in Puerto Rico.	802.44 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1949.	Part 866—Determination of wage rates; sugarcane, Puerto Rico: 866.1 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during the calendar year 1949.
802.56 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Virgin Islands.	Part 849—Determination of normal yields and eligibility for abandonment and crop deficiency payments; Virgin Islands: 849.1 Normal yields of commercially recoverable sugar per acre and eligibility for payment with respect to abandonment and crop deficiency for sugarcane farms in the Virgin Islands.	802.12 Fair and reasonable prices for the 1948 crop of sugar beets.	Part 867—Determination of wage rates; sugarcane, Virgin Islands: 867.1 Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1949.
		802.20 Fair and reasonable prices for the 1948 crop of Florida sugarcane.	Part 871—Determination of prices; sugar beets: 871.1 Fair and reasonable prices for the 1948 crop of sugar beets.
			Part 873—Determination of prices; sugar cane; Florida: 873.1 Fair and reasonable prices for the 1948 crop of Florida sugar cane.

¹ Appeared at 13 F. R. 571 as § 802.52.

RULES AND REGULATIONS

Former designation

802.22 Fair and reasonable prices for the 1948 crop of Louisiana sugarcane.

802.32 Fair and reasonable prices for the 1949 crop of Hawaiian sugarcane.

802.42 Fair and reasonable prices for the 1948-49 crop of Puerto Rican sugarcane.

802.53 Fair and reasonable prices for the 1949 crop of Virgin Islands sugarcane.

Present designation

Part 874—Determination of prices; sugarcane; Louisiana: 874.1 Fair and reasonable prices for the 1948 crop of Louisiana sugarcane.

Part 876—Determination of prices; sugarcane; Hawaii: 876.1 Fair and reasonable prices for the 1949 crop of Hawaiian sugarcane.

Part 877—Determination of prices; sugarcane; Puerto Rico: 877.1 Fair and reasonable prices for the 1948-49 crop of Puerto Rican sugarcane.

Part 878—Determination of prices; sugarcane; Virgin Islands: 878.1 Fair and reasonable prices for the 1949 crop of Virgin Islands sugarcane.

CALIFORNIA

CLASSIFICATION ORDER

JANUARY 21, 1949.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Los Angeles, California, land district, embracing 78.77 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 122

For lease and sale for all purposes mentioned in the act except business.

T. 1 S., R. 5 E., S. B. M.,

Sec. 4, Lots 3 and 4.

Sec. 8, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$
NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$
SW $\frac{1}{4}$.

2. As to applications regularly filed prior to 11:15 a. m., April 12, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., March 25, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., March 25, 1949, to the close of business on June 23, 1949.

(b) Advance period for veterans' simultaneous filings from 11:15 a. m., April 12, 1948, to the close of business on March 25, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., June 24, 1949.

(a) Advance period for simultaneous nonpreference filings from 11:15 a. m., April 12, 1948, to the close of business on June 24, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south, except in the N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8, where they run east and west.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

CLASSIFICATION ORDER

JANUARY 21, 1949.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Los Angeles, California, land district, embracing 80 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION NO.
117

For lease and sale for all purposes mentioned in the act except business.

T. 6 N., R. 5 W., S. B. M.,
Sec. 2, Lots 1 and 2.

2. As to applications regularly filed prior to 8:30 a. m., November 8, 1948, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., March 25, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., March 25, 1949, to the close of business on June 23, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., November 8, 1948, to the close of business on March 25, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., June 24, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., November 8, 1948, to the close of business on June 24, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south.*

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$15.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases and patents will be subject to easements for rights of way for roads and public utilities as follows:

T. 6 N., R. 5 W., S. B. M., Sec. 2, E $\frac{1}{2}$ lot 2 of NE $\frac{1}{4}$, 33 feet on north and east boundaries, 16 $\frac{1}{2}$ feet on south and west boundaries; W $\frac{1}{2}$ lot 2 of NE $\frac{1}{4}$, 33 feet on north and west boundaries, 16 $\frac{1}{2}$ feet on south and east boundaries; W $\frac{1}{2}$ lot 1 of NE $\frac{1}{4}$, 33 feet on west boundary, 16 $\frac{1}{2}$ feet on north, south and east boundaries; E $\frac{1}{2}$ lot 1 of NE $\frac{1}{4}$, 33 feet on east boundary, 16 $\frac{1}{2}$ feet on north, south and west boundaries; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 33 feet on east boundary, 16 $\frac{1}{2}$ feet on north, south and west boundaries; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 33 feet on west boundary, 16 $\frac{1}{2}$ feet on north, south and east boundaries; SW $\frac{1}{4}$ SE $\frac{1}{4}$, 33 feet on south and west boundaries, 16 $\frac{1}{2}$ feet on north and east boundaries; SE $\frac{1}{4}$ SE $\frac{1}{4}$, 33 feet on south and east boundaries, 16 $\frac{1}{2}$ feet on north and west boundaries.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-789; Filed, Feb. 2, 1949;
8:46 a. m.]

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$10.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Tracts will be subject to rights of way not exceeding 16½ feet in width along or near the edges thereof for road purposes and public utilities. Such rights of way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights of way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Los Angeles, California.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-783; Filed, Feb. 2, 1949;
8:45 a. m.]

the public generally, commencing at 10:00 a. m., June 24, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., March 18, 1946, to the close of business on June 24, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of 1¼ acres each in the E½SW¼-NW¼, E½NE¼SW¼, the longer dimension to extend north and south; and square tracts of 2½ acres each in the SE¼NW¼, SW¼NE¼, conforming to the rectangular system of survey.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$150.00 an acre, application for which may be filed at or after the expiration of one year from date the lease is issued.

10. Leases and patents will be subjected to easements for rights of way for roads and public utilities, to conform to the width and location shown in the following tabulations:

T. 21 S., R. 61 E., M. D. M.

Sec. 28, N½SW¼NE¼, 33 ft. on north and east boundaries and 16½ ft. on south and west boundaries;

S½SW¼NE¼, 33 ft. on south and east boundaries and 16½ ft. on north and west boundaries;

N½SE¼NW¼, 33 ft. on north boundary and 16½ ft. on south, east and west boundaries;

S½SE¼NW¼, 33 ft. on south boundary and 16½ ft. on north, east and west boundaries;

NE¼SW¼NW¼, 33 ft. on north and west boundaries and 16½ ft. on south and east boundaries;

SE½SW¼NW¼, 33 ft. on west boundary and 16½ ft. on north, south and east boundaries;

NE¼NW¼SW¼, 33 ft. on east and west boundaries and 16½ ft. on north and south boundaries;

SE½NW¼SW¼, 33 ft. on south, east and west boundaries and 16½ ft. on north boundary.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-790; Filed, Feb. 2, 1949;
8:46 a. m.]

NEVADA

CLASSIFICATION ORDER

JANUARY 21, 1949.

1. Pursuant to the authority delegated to me by the Director, Bureau of Land Management, by Order No. 319 dated July 19, 1948 (43 CFR 50.451 (b) (3), 13 F. R. 4278), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. section 682a), as herein-after indicated, the following described land in the Carson City, Nevada, land district, embracing 560 acres.

NEVADA SMALL TRACT CLASSIFICATION NO. 16

For lease and sale for homesites only.

T. 21 S., R. 61 E., M. D. M.

Sec. 13, W½NE¼, NW¼, and S½.

2. As to applications regularly filed prior to 8:30 a. m., March 18, 1946, and are for the type of site for which the land is classified, this order shall become effective upon the date it is signed.

3. As to the land not covered by applications referred to in paragraph 2, this order shall not become effective to permit leasing under the Small Tract Act until 10:00 a. m., March 25, 1949. At that time such land shall, subject to valid existing rights, become subject to application as follows:

(a) Ninety-day preference period for qualified veterans of World War II from 10:00 a. m., March 25, 1949, to the close of business on June 23, 1949.

(b) Advance period for veterans' simultaneous filings from 8:30 a. m., March 18, 1946, to the close of business on March 25, 1949.

4. Any of the land remaining unappropriated shall become subject to application under the Small Tract Act by the public generally, commencing at 10:00 a. m., June 24, 1949.

(a) Advance period for simultaneous nonpreference filings from 8:30 a. m., March 18, 1946, to the close of business on June 24, 1949.

5. Applications filed within the periods mentioned in paragraph 3 (b) and 4 (a) will be treated as simultaneously filed.

6. All of the land will be leased in tracts of approximately 5 acres, each being approximately 330 by 660 feet, the longer dimensions to extend north and south.

7. Preference right leases referred to in paragraph 2 will be issued for the land described in the application irrespective of the direction of the tract, provided the tract conforms to or is made to conform to the area and the dimensions specified in paragraph 6.

8. Where only one five-acre tract in a ten-acre subdivision is embraced in a preference right application, an application for the remaining five-acre tract extending in the same direction will be accepted in order to fill out the subdivision notwithstanding the direction specified in paragraph 6.

9. Leases will be for a period of five years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$10.00 an acre, application for which may be

NOTICES

filed at or after the expiration of one year from date the lease is issued.

10. Leases and patents will be subject to easements for rights of way for roads and public utilities as follows:

T. 21 S., R. 61 E., M. D. M., Sec. 13, NW $\frac{1}{4}$, NE $\frac{1}{4}$, 33 feet on north and east boundaries, 16 $\frac{1}{2}$ feet on south and west boundaries; SW $\frac{1}{4}$ NE $\frac{1}{4}$, 33 feet on east boundary, 16 $\frac{1}{2}$ feet on north, south, and west boundaries; N $\frac{1}{2}$ NW $\frac{1}{4}$, 33 feet on north and west boundaries, 16 $\frac{1}{2}$ feet on south and east boundaries; S $\frac{1}{2}$ NW $\frac{1}{4}$, 33 feet on west boundary, 16 $\frac{1}{2}$ feet on north, south and east boundaries; N $\frac{1}{2}$ SW $\frac{1}{4}$, 33 feet on west boundary, 16 $\frac{1}{2}$ feet on north, south and east boundaries; S $\frac{1}{2}$ SW $\frac{1}{4}$, 33 feet on south and west boundaries, 16 $\frac{1}{2}$ feet on north and east boundaries; NE $\frac{1}{4}$ SE $\frac{1}{4}$, 33 feet on north and east boundaries, 16 $\frac{1}{2}$ feet on south boundary; NW $\frac{1}{4}$ SE $\frac{1}{4}$, 16 $\frac{1}{2}$ feet on north, south and west boundaries; S $\frac{1}{2}$ SE $\frac{1}{4}$, 33 feet on south and east boundaries, 16 $\frac{1}{2}$ feet on north and west boundaries.

11. All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Carson City, Nevada.

L. T. HOFFMAN,
Regional Administrator.

[F. R. Doc. 49-791: Filed, Feb. 2, 1949;
8:46 a. m.]

Bureau of Reclamation

[Public Notice 57]

SHOSHONE IRRIGATION PROJECT, WILLWOOD DIVISION, WYOMING

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGES

NOVEMBER 22, 1948.

1. *Water rental.* Irrigation water will be furnished upon a rental basis during the irrigation season of 1949 and thereafter until further notice to the irrigable lands under Public Notice of the Willwood Division, Shoshone Project, Wyoming.

2. *Charges and terms of payment.* The minimum water rental charge, whether water is used or not, shall be \$3.00 per irrigable acre providing the United States continues to operate the irrigation works, or \$2.50 per irrigable acre in the event that a contract is duly approved by the water users and executed on behalf of the United States and the Willwood Irrigation District, under which the District assumes the operation and maintenance of the Willwood Division for the irrigation season of 1949. In the event the water users operate the division, the Willwood Irrigation District is hereby authorized to charge, collect, and retain water rental charges for the delivery of water in accordance with the contract and this notice. Payment of the appropriate water rental charge will entitle the water user to two and one-half acre feet of water per irrigable acre. Additional water, if available, will be furnished during the irrigation season at the rate of \$1.25 per acre foot. The minimum charge shall be payable in advance on March 1 of 1949 and January 1 of each subsequent year, and no water will be delivered until such charge is paid in full. The charge for additional water shall be payable on December 1 of

the year on which such additional water is delivered.

3. *Discounts and penalties.* For charges payable to the United States discounts and penalties will be applied as follows: If payment of the minimum charge is made on or before March 1 of 1949 or January 1 of any subsequent year, a discount of five per cent of such charge will be allowed. If payment of the charge for additional water is made on or before December 1, of the year in which used, a discount of five per cent of such charge will be allowed. If payment of the minimum charge is not made on April 1, of each year, and if payment for additional water furnished to any lands is not made on March 1, subsequent to the year in which such additional water is delivered, there shall be added on the following day a penalty of one-half of one per cent of the amount unpaid on the first day of each calendar month thereafter so long as such default shall continue, and no water will be delivered until all charges and penalties have been paid in full. While no discounts will be applied on charges payable to the Willwood Irrigation District, penalties for delinquent payments will be applied in the manner outlined above.

4. *Place of payment.* By subsequent notice, water users will be advised of execution or failure of execution of the contract mentioned in paragraph 2, and the place and applicable rate of payment.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

W. W. RAWLINGS,
Acting Regional Director.

[F. R. Doc. 49-785: Filed, Feb. 2, 1949;
8:45 a. m.]

[No. 6]

GILA IRRIGATION PROJECT, YUMA MESA DIVISION, ARIZONA

PUBLIC NOTICE OF ANNUAL WATER RENTAL CHARGE

JANUARY 3, 1949.

1. *Water rental.* Irrigation water will be furnished, when available and where the progress of construction contemplated herein will permit, upon a rental basis under approved applications for temporary water service from and after January 1, 1949, and thereafter until further notice, to lands in the Yuma Mesa Division situate within the North and South Gila Valleys; to public lands in said Division under Pumping Plant No. 1, and also to those private and State lands in said Division under Pumping Plant No. 1 described below:

PRIVATE LANDS

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 8 S., R. 23 W.
Sec. 33, S $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 34, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying S. of S. P. R. R.
T. 9 S., R. 22 W.
Sec. 3, E $\frac{1}{2}$ SW $\frac{1}{4}$
Sec. 5, E $\frac{1}{2}$ SW $\frac{1}{4}$ lying S. of S. P. R. R.
Sec. 6, W $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying S. of S. P. R. R.
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$
Sec. 9, N $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Sec. 19, E $\frac{1}{2}$

Sec. 20, E $\frac{1}{2}$ SW $\frac{1}{4}$

Sec. 29, W $\frac{1}{2}$ NW $\frac{1}{4}$

Sec. 30, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$

Sec. 31, S $\frac{1}{2}$ SW $\frac{1}{4}$

T. 9 S., R. 23 W.

Sec. 1, S $\frac{1}{2}$

Sec. 3, W $\frac{1}{2}$

Sec. 4, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$

Sec. 16, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$

Sec. 25, SE $\frac{1}{4}$

Sec. 35, E $\frac{1}{2}$

Sec. 36, W $\frac{1}{2}$, E $\frac{1}{2}$ lying W. of A-7.4 lat.

T. 10 S., R. 22 W.

Sec. 6, W $\frac{1}{2}$ NW $\frac{1}{4}$

T. 10 S., R. 23 W.

Sec. 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Sec. 16, NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$

STATE LANDS

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 9 S., R. 22 W.

Sec. 30, SW $\frac{1}{4}$

T. 9 S., R. 23 W.

Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$

T. 10 S., R. 23 W.

Sec. 2, All.

2. *Charges and terms of payment.*

Water rental charges shall be payable in advance of the delivery of water at rates as follows:

(a) For lands in the Yuma Mesa Division situate within the North and South Gila Valleys irrigated hereunder before July 1 of any year, the minimum charge shall be \$3.00 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to 4 acre-feet of water per acre; additional water will be furnished at the rate of \$0.75 per acre-foot. For such lands not irrigated before July 1 of any year but receiving water after that date, the minimum charge shall be \$1.50 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to 2 acre-feet of water per acre; additional water will be furnished at the rate of \$0.75 per acre-foot.

(b) For public lands in the Yuma Mesa Division under Pumping Plant No. 1 leased for a portion of a calendar year, unless otherwise stipulated in the lease, there will be a charge of \$0.75 per acre-foot for the first 8 acre-feet of water ordered and a charge of \$0.85 per acre-foot for all additional water ordered.

(c) (i) For the remaining lands in the Yuma Mesa Division under Pumping Plant No. 1 irrigated hereunder before July 1 of any year, the minimum charge shall be \$6.00 per acre for each acre of land for which water service is requested, payment of which will entitle the applicant to 8 acre-feet of water per acre. Additional water will be furnished at the rate of \$0.85 per acre-foot.

(c) (ii) If applicant so requests, one-half of said minimum charge may be paid on January 3, 1949, or at such time prior to July 1, 1949, as the application for temporary water service may be filed, which, upon approval, shall entitle the applicant to 4 acre-feet of water per acre. The balance of said minimum charge shall be paid on July 1, 1949, or at such time as applicant requires more than 4 acre-feet of water, whichever is sooner, which shall entitle the applicant to an

additional 4 acre-feet of water per acre. Water in excess of 8 acre-feet will be furnished at the rate of \$0.85 per acre-foot.

(d) For the remaining lands in the Yuma Mesa Division under Pumping Plant No. 1 not irrigated hereunder before July 1 of any year but receiving water after that date, there will be a charge of \$0.75 per acre-foot for the first 4 acre-feet of water ordered during that year and a charge of \$0.85 per acre-foot for all additional water ordered during that year.

3. The charges set out in paragraph 2 above shall be applicable to sprinkler irrigation as well as to other irrigation methods. Water ordered, whether for sprinkler irrigation or for irrigation by any other method, shall be measured at the turnout where delivery is made to the applicant.

4. The presently constructed distribution system for lands in the Yuma Mesa Division under Pumping Plant No. 1 generally provides single turnout facilities for legal subdivisions of private lands comprising approximately 80 gross acres. Under present plans the Bureau contemplates the construction of additional water service facilities upon application therefor, subject to the conditions stated below, for units lacking individual water service facilities which constitute portions of such subdivisions and which comprised not less than approximately 40 gross acres as of December 31, 1947, according to records of the County Recorder of Yuma County, Arizona. Each request for the construction of such facilities shall be accompanied by a deposit of the minimum per-acre charge mentioned in paragraph 2 (c) (i) above and by evidence satisfactory to the superintendent of the Gila Project that the applicant will proceed as expeditiously as practicable with the agricultural development of the unit. Such construction will be limited to the extent deemed by the Bureau to be practicable and prosecution thereof will be subject to the availability of funds therefor; such construction will be scheduled for completion within six months from the approval of such request. Upon approval of such request, the above-mentioned deposit shall be credited to the applicant's account and thereafter applied against charges made pursuant to paragraphs 2 (c) (i) or 2 (d) above in connection with water delivered to said unit. The Bureau does not presently contemplate the construction of facilities in the North and South Gila Valleys for the distribution of water under this notice.

5. Except as otherwise provided in the Reclamation Laws (act of June 17, 1902, 32 Stat. 388, as amended or supplemented) no water will be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws.

6. Applications for temporary water service may be made by the landowner or by anyone who presents evidence satisfactory to the superintendent of the Gila Project that he is the tenant or lessee of the land for which water is requested, or that he has been authorized by the owner to make a water rental application for such land.

7. Applications for temporary water service and the payments required by this notice will be received at the office of the Superintendent, Gila Project, Yuma, Arizona.

(Act of June 17, 1902, 32 Stat. 388, as amended or supplemented)

C. A. BISSELL,
Acting Regional Director.

[F. R. Doc. 49-786; Filed, Feb. 2, 1949;
8:46 a. m.]

Office of the Secretary

CHEYENNE RIVER RESERVATION, SOUTH DAKOTA

ORDER AMENDING ORDER OF RESTORATION
DATED JUNE 12, 1941

Pursuant to authority contained in sections 3 and 7 of the act of June 18, 1934 (48 Stat. 984), Departmental Order of June 12, 1941 (6 F. R. 3300), restoring certain undisposed of surplus opened lands on the Cheyenne River Reservation, South Dakota, to tribal ownership, is hereby amended by adding thereto the following described lands:

BLACK HILLS MERIDIAN

T. 16 N., R. 18 E.
Sec. 1, S $\frac{1}{2}$
Sec. 11, E $\frac{1}{2}$, SW $\frac{1}{4}$
Sec. 12, E $\frac{1}{2}$
Sec. 13, SE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 14, NE $\frac{1}{4}$
T. 17 N., R. 18 E.
Sec. 30, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$
T. 16 N., R. 20 E.
Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 10, NE $\frac{1}{4}$
Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$
T. 17 N., R. 20 E.
Sec. 3, Lots 7, 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 9, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 10, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 12, SW $\frac{1}{4}$ NW $\frac{1}{4}$
Sec. 13, SW $\frac{1}{4}$
Sec. 14, SE $\frac{1}{4}$
Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$
Sec. 22, W $\frac{1}{2}$
Sec. 24, NW $\frac{1}{4}$, SE $\frac{1}{4}$
Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 26, SE $\frac{1}{4}$
T. 17 N., R. 21 E.
Sec. 31, Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$

containing a total of 4,284.96 acres.

[SEAL] J. A. KRUG,
Secretary of the Interior.

JANUARY 10, 1949.

[F. R. Doc. 49-787; Filed, Feb. 2, 1949;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 1749]

ALLOCATION OF FUNDS FOR LOANS,
RESCISSON

DECEMBER 31, 1948.

I hereby amend:

(a) Administrative Order No. 1559, dated July 16, 1948, by rescinding the allocation of \$5,000 therein made for Texas 127C Gilmer.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-797; Filed, Feb. 2, 1949;
8:47 a. m.]

[Administrative Order 1777]

LOAN ANNOUNCEMENT

JANUARY 13, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Oklahoma 28G, K, L Pawnee..... \$835,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-798; Filed, Feb. 2, 1949;
8:47 a. m.]

[Administrative Order 1778]

LOAN ANNOUNCEMENT

JANUARY 13, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Georgia 42N Toombs..... \$155,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-799; Filed, Feb. 2, 1949;
8:47 a. m.]

[Administrative Order 1779]

LOAN ANNOUNCEMENT

JANUARY 13, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 7P Bell..... \$162,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-800; Filed, Feb. 2, 1949;
8:47 a. m.]

[Administrative Order 1780]

LOAN ANNOUNCEMENT

JANUARY 13, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Alabama 47B, C Arab..... \$160,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-801; Filed, Feb. 2, 1949;
8:47 a. m.]

NOTICES

[Administrative Order 1781]

LOAN ANNOUNCEMENT

JANUARY 13, 1949.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: *Amount*
Florida 23L Levy \$225,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-802; Filed, Feb. 2, 1949;
8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Reg. Serial No. OR-13]

BUREAU OF ECONOMIC REGULATION

DELEGATIONS OF AUTHORITY

As a result of experience in the administration of the Civil Aeronautics Act of 1938, as amended, the Board has found that much of its work in connection with certain routine approvals could be delegated to the staff to the advantage of the public and the industry regulated by the Board, as well as to the advantage of the Board and its staff.

In consideration of the foregoing the Civil Aeronautics Board on January 27, 1949, hereby amends the Organizational Regulations (formerly 14 CFR, Part 301) as follows, effective immediately.

By adding the following new paragraphs to the section titled *Delegations of Authority* (formerly § 301.2):

(g) *Director, Bureau of Economic Regulation; free and reduced rate transportation.* The Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to approve or disapprove applications filed under section 403 (b) of the act and paragraph (h) of § 228.4 of the Economic Regulations for permission to furnish free or reduced rate overseas or foreign air transportation, when such applications do not involve new and substantial questions of policy: *Provided*, That any such applications may be referred to the Board for disposition, and that any applications not hereby authorized to be approved or disapproved by the staff shall be referred to the Board.

In the event the disapproval of any such application is deemed appropriate, the Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), is authorized to advise the applicants that the staff is unable to recommend approval of the free or reduced rate transportation, giving the applicants an opportunity of requesting Board review of the matter.

(h) *Director, Bureau of Economic Regulation; interlocking relationships.* The Director, Bureau of Economic Regu-

lation (or such staff member of the Bureau of Economic Regulation as he may designate), acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to approve with appropriate conditions in the Board's order of approval, all applications for approval of interlocking relationships filed under section 409 (a) of the act, where clear precedents have already been established by the Board, with respect to the following relationships:

1. Between Railway Express Agency, Inc. and other companies, except relationships with air carriers;
2. Between air carriers and local transportation companies, communication companies, pipe-line companies, bridge companies, or tug and barge companies;
3. Between air carriers and companies owned or controlled by a substantial number of air carriers;
4. Between air carriers or between air carriers and other companies falling within the scope of Section 408 of the Act where a control relationship has been previously approved by the Board;
5. Between air carriers and other companies falling within the scope of Section 403 of the Act where a control relationship existed at the time of the passage of the Act; and
6. Between air carriers and companies engaged in the sale or distribution of aircraft not suitable for use by such air carriers.

In the event the disapproval of any such application is deemed appropriate, the Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to advise the applicants that the staff is unable to recommend approval of the relationship, giving the applicants the option of (1) presenting additional information, (2) terminating the relationship, (3) seeking Board review, or (4) requesting a formal hearing in the matter. They shall have the further authority to dismiss all applications for approval of interlocking relationships where the termination of the interlocking relationship in question has been effected.

(i) *Director, Bureau of Economic Regulation; temporary changes in service patterns.* The Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate) acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to approve or disapprove all applications filed under § 238.3 of the Economic Regulations by feeder air carriers for authority to effect temporary or seasonal changes in service patterns where clear precedents for proposed changes have already been established by the Board: *Provided*, That all applications raising substantial questions of policy or a new type of authority shall be referred to the Board for disposition. For the purpose of this paragraph a "feeder" air carrier in an air carrier holding a certificate of public convenience and neces-

sity which contains a condition requiring that each trip operated by the holder of the certificate between points named in the route or a segment thereof, shall serve (subject to exceptions set forth in such certificate) each terminal and intermediate point.

In the event the disapproval of any such application is deemed appropriate, the Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), is authorized to advise the applicants that the staff is unable to recommend approval of the proposed change, giving the applicants the opportunity of requesting Board review of the matter.

(j) *Director, Bureau of Economic Regulation; dismissal of investigations of certain tariffs or tariff rules.* In instances where investigations of tariffs or tariff rules are pending, the Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to dismiss such investigations insofar as they pertain to tariffs or tariff rules which have been cancelled. They also shall have the authority to permit the cancellation of tariffs or tariff rules which are currently under suspension pending investigation. In the event the cancelled tariffs or tariff rules are immediately replaced by substantially similar tariffs or tariff rules these staff members shall have the authority to institute investigations of the newly proposed tariffs or tariff rules.

The Director, Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), acting with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, shall have further authority to extend periods of suspension for tariffs or tariff rules subject to investigation, where the proceedings concerning the lawfulness of such tariffs or tariff rules cannot be concluded prior to the expiration of the existing suspension periods.

(k) *Certification of Board records to appellate courts.* In instances where the Board is required under section 1006 (c) of the act to certify and file transcripts of records with Appellate Courts to which Board proceedings have been duly appealed, such transcripts shall be prepared by the General Counsel and the Docket Section of the Bureau of Hearing Examiners, certified by the Secretary of the Board, and filed in the Appellate Courts.

(Secs. 205 (a), 401, 403, 409, 1106; 52 Stat. 984, 987, 1002, 1024; 49 U. S. C. 425, 481, 483, 489, 646)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-816; Filed, Feb. 2, 1949;
8:58 a. m.]

[Regs., Serial No. OR-14]

APPROVAL OF CONTRACTS

DELEGATIONS OF AUTHORITY

This explanatory statement applies to the amendment of the Organizational Regulations of the Civil Aeronautics Board (formerly 14 CFR §§ 301.2 and 302.4).

The Organizational Regulations (formerly § 302.4 (c) (2) (iv)) authorize the Director of the Bureau of Economic Regulation, or such member of his staff as he may designate, with the concurrence of the General Counsel, or such member of his staff as he may designate, to take preliminary action on behalf of the Board to approve contracts and agreements and modifications and cancellations thereof filed under section 412 of the Civil Aeronautics Act of 1938, as amended, ("act") relating to certain enumerated services and facilities. This authorization is now expanded and placed in another section of the Organizational Regulations (the former § 301.2).

The purpose of the attached amendment is first, to amend the former § 302.4 *Channeling of certain routine functions*, paragraph (c) *Requests and submissions from Air Carriers*, by repealing subparagraph (2) subdivision (iv) thereof, and second, to amend the former § 301.2 *Delegations of authority*, in order to add an authorization to the Director of the Bureau of Economic Regulation to take preliminary action (subject to concurrence by the Bureau of Law on legal aspects) to approve contracts filed by air carriers pursuant to section 412 (a) of the act.

The basis of the amendment is section 412 (b) of the act, which requires the Board to disapprove, by its order, any contract or agreement that it finds to be adverse to the public interest or in violation of the act and to approve by its order any such contract or agreement that it does not find to be adverse to the public interest or in violation of the act. This change is being made in order to increase the contracts and agreements on which the Board staff may take preliminary action.

Since these amendments establish a rule of agency practice and procedure, notice and public procedure hereon are unnecessary and the amendments may be made effective without prior notice.

In consideration of the statements made in the foregoing Explanatory Statement, the Board hereby amends the sections of the Organizational Regulations, titled *Channeling of certain routine functions; and Delegations of authority* (formerly 14 CFR, §§ 302.4 and 301.2) as follows effective immediately upon publication in the FEDERAL REGISTER:

(1) By repealing paragraph (c) (2) (iv) of the section titled *Channeling of certain routine functions* (formerly § 302.4 (c) (2) (iv));

(2) By adding a new paragraph titled *Approval of contracts* to the section titled *Delegations of authority* (formerly § 301.2 (e)) to read as follows:

(e) *Approval of contracts.* (1) The Director of the Bureau of Economic Regulation (or such staff member of the Bu-

reau of Economic Regulation as he may designate), with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to take preliminary action to approve any contract or agreement, modification, termination or cancellation thereof, filed by air carriers under section 412 of the act, except those which either relate to the following subjects:

1. Establishment of rates, fares, or charges,
2. Standardization of equipment,
3. Schedules,
4. Substantial limitations on competition,
5. Interchange of equipment and "trackage rights" or,
6. Are binding upon an industry-wide or substantially industry-wide basis.

(2) A further authorization is granted, in accordance with the provisions of paragraph (1) above, to take preliminary action to approve resolutions of the traffic conferences of the Air Transport Association of America and the International Air Transport Association, which are reenactments of previous resolutions approved by the Board, on which there are clear Board precedents, which do not involve substantial questions of policy, or which do not concern rates, fares or charges.

(3) The Director of the Bureau of Economic Regulation (or such staff member of the Bureau of Economic Regulation as he may designate), with the concurrence of the General Counsel (or such staff member of the Bureau of Law as he may designate) on legal aspects, is authorized to advise the parties to any contract or agreement as to which disapproval is deemed appropriate that, on the basis of information on record, approval is not warranted and that the parties thereto may either (i) present such further information as will warrant approval, (ii) amend the contract or agreement to eliminate all objections thereto, (iii) seek Board review, or (iv) request a hearing prior to final action.

(4) All contracts or agreements which are not acted upon pursuant to this regulation shall be referred to the Board for appropriate action.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a))

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-784; Filed, Feb. 2, 1949;
8:56 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 12648]

CLARA SIELCHEN SCHWARZ AND IRVING BANK-COLUMBIA TRUST CO.

In re: Trust under agreement dated December 22, 1924, between Clara Siel-

chen Schwarz, grantor, and Irving Bank-Columbia Trust Company, trustee. File No. D-28-10304-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ingeborg Gemmingen, Eric von Barnekow, Ursula Gemmingen, Cecelia Gemmingen and Sybilla Gemmingen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the daughter, name unknown, of Ingeborg Gemmingen; the issue, names unknown, of Ingeborg Gemmingen and the next of kin, names unknown, of the issue of Ingeborg Gemmingen, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated December 22, 1924, by and between Clara Sielchen Schwarz, grantor, and Irving Bank-Columbia Trust Company, trustee, presently being administered by Irving Trust Company, trustee, One Wall Street, New York, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof, the daughter, name unknown, of Ingeborg Gemmingen; the issue, names unknown, of Ingeborg Gemmingen and the next of kin, names unknown, of the issue of Ingeborg Gemmingen are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 5, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-806; Filed, Feb. 2, 1949;
8:56 a. m.]

NOTICES

[Vesting Order 12682]

JOHN DIBBERN AND WELLS FARGO BANK
& UNION TRUST CO.

In re: Trust agreement dated February 3, 1931, between John Dibbern, trustor, and Wells Fargo Bank & Union Trust Co., trustee, and amendments thereto dated February 17, 1931, and June 18, 1938. File No. D-28-2099-G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Herman Jarren, Ella Jarren, Gertrud Jarren, Irma Jarren, Elisabeth Jarren, Heinrich Hein, Anna Lange, Max Hein, Magda Hein, August Gruber, Anna (Gruber) Berndt, and Elisabeth (Gruber) Classen, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Herman Jarren and Ella Jarren, of Anna Lange, of Max Hein, of Magda Hein, of Anna (Gruber) Berndt and of Elisabeth (Gruber) Classen and the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Margaretha Gruber, deceased, and of August Gruber, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to and arising out of or under that certain trust agreement dated February 3, 1931, by and between John Dibbern, trustor, and Wells Fargo Bank & Union Trust Company, trustee, as amended on February 17, 1931, and on June 18, 1938, presently being administered by Wells Fargo Bank & Union Trust Company, trustee, Market at Montgomery, San Francisco 20, California,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and the issue, names unknown, of Herman Jarren and Ella Jarren, of Anna Lange, of Max Hein, of Magda Hein, of Anna (Gruber) Berndt and of Elisabeth (Gruber) Classen and the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Margaretha Gruber, deceased, and of August Gruber, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

ministered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 13, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Deputy Director,
Office of Alien Property.*

[F. R. Doc. 49-807; Filed, Feb. 2, 1949;
8:57 a. m.]

[Vesting Order 12693]

BERTHA REUBEL

In re: Rights of Bertha Reubel under insurance contract. File No. F-28-499-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bertha Reubel, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under an annuity contract evidenced by policy No. 1859563, issued by the Penn Mutual Life Insurance Company, Philadelphia, Pennsylvania, to Bertha Reubel, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Deputy Director,
Office of Alien Property.*

[F. R. Doc. 49-809; Filed, Feb. 2, 1949;
8:57 a. m.]

[Vesting Order 12694]

SENZO SAIKI

In re: Rights of Senzo Saiki under insurance contract. File No. F-39-1290-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Senzo Saiki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

Executed at Washington, D. C., on January 19, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
*Deputy Director,
Office of Alien Property.*

[F. R. Doc. 49-808; Filed, Feb. 2, 1949;
8:57 a. m.]

2. That the net proceeds due or to become due under the disability provisions of a contract of insurance evidenced by policy No. 1185326, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to Senzo Saiki, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States).

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-810; Filed, Feb. 2, 1949;
8:58 a. m.]

[Vesting Order 12695]

CHRISTEL L. SCHLENS

In re: Rights of Christel L. Schlens under insurance contract. File No. F-28-133-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Christel L. Schlens, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under an annuity contract of insurance evidenced by policy No. 31866, issued by the New York Life Insurance Company, New York, New York, to Christel L. Schlens, together with the right to demand, receive and collect said net proceeds,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on ac-

count of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 19, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 49-811; Filed, Feb. 2, 1949;
8:58 a. m.]

[Vesting Order 12696]

PAUL LINDEMANN ET AL.

In re: Interest in real property, property insurance policy and claim owned by Paul Lindemann and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons whose names and last known addresses are listed below are residents of Germany and nationals of a designated enemy country (Germany);

Name and Last Known Addresses

Paul Lindemann, Germany.
Paul Elchinger, also known as Paul Eichenger, Germany.

Wilhelm Lindemann, Germany.

Anna Lindemann, Germany.

Joseph Lindemann, Germany.

Margaretha Stang, also known as Margaretha Stand, Germany.

Petronela Schmitt, Germany.

Theresa Geisler Hofman, Germany.

Anna Schindler, Germany.

Hans Eichenger, also known as Joseph Eichenger, Germany.

Catherine Eichenger Kuhne, also known as Catherine Eichenger Kuhn, Germany.

2. That the property described as follows:

a. An undivided eleven-twelfths (11/12ths) interest in real property situated in the Borough of Queens, County of Queens, City and State of New York, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims

for rents, refunds, benefits or other payments arising from the ownership of such property.

b. All right, title and interest of the persons named in subparagraph 1 hereof, in and to Fire Insurance Policy No. 15089, in the amount of \$3,500.00, issued by Continental Insurance Company, 80 Maiden Lane, New York 8, New York, which policy expires June 13, 1951, and insures the real property described in subparagraph 2-a hereof, and

c. That certain debt or other obligation owing to the persons named in subparagraph 1 hereof by Charles Recht, 10 East 40th Street, New York 16, New York, arising out of their share of the rentals collected from the property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 26, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All those certain lots, pieces or parcels of land, situate, lying and being in the fourth ward of the Borough of Queens, County of Queens, City and State of New York, which upon a certain map entitled Map of South Jamaica Place and filed in the office of the Clerk of the County of Queens on May 10, 1905 as No. 455 are known and designated as and by the numbers thirty eight (38) and thirty nine (39) in block number seven (7).

[F. R. Doc. 49-812; Filed, Feb. 2, 1949;
8:58 a. m.]

NOTICES

[Vesting Order 12747]

Dr. K. TOFUKUJI

In re: Interest in real property and insurance policies, a leasehold, bank accounts, bonds and miscellaneous personal property owned by Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji. D-39-430-A-1, D-39-430-B-1, D-39-430-C-1, D-39-430-C-2, D-39-430-C-3, D-39-430-E-1, D-39-430-E-2, D-39-430-F-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. An undivided one-half interest in real property situated in Honokaa, Hawaii, Territory of Hawaii, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments, arising from the ownership of such property,

b. A leasehold estate created in Koshiro Tofukuji under and by virtue of a lease executed December 31, 1921 by and between Enoka Ako, Lessor and Koshiro Tofukuji, Lessee, which lease is recorded in the Office of the Registrar of Conveyances, Honolulu, T. H., in Liber 619 on Pages 485-487, inclusive.

c. All right, title and interest of Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji in and to the following fire insurance policies insuring the improvements to the real property which is the subject of the lease described in subparagraph 2-b hereof, including the real property described in Exhibit A, attached hereto:

Policy No. 975, issued by the Hawaiian Insurance & Guaranty Company, Ltd., Hilo, Hawaii, T. H., in the amount of \$500.00, which policy expires on July 18, 1948, together with all extensions and renewals thereof.

Policy No. 356282, issued by the Philadelphia Fire Insurance Company, Philadelphia, Pennsylvania, in the amount of \$1,000, which policy expires on July 4, 1950.

Policy No. 356281, issued by the Philadelphia Fire Insurance Company, Philadelphia, Pennsylvania, in the amount of \$500, which policy expires on June 4, 1950.

d. That certain debt or other obligation owing to Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, by Bank of Hawaii, Honolulu, T. H., arising out of a savings account, Account Number 14361, entitled Dr. K. Tofukuji, maintained at the branch office of the aforesaid bank located at Hamakua, Honokaa, T. H., and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation owing to Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, by Bank of Hawaii, Honolulu, T. H., arising out of a checking account, entitled Dr. K. Tofukuji Rent Account, main-

tained at the branch office of the aforesaid bank located at Hamakua, Honokaa, T. H., and any and all rights to demand, enforce and collect the same,

f. That certain debt or other obligation owing to Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, by State Savings & Loan Assn., 239 Merchant Street, Honolulu, T. H., arising out of a savings account, Account Number 3326, entitled Koshiro Tofukuji, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

g. One (1) United States Savings Bond, Series E, of \$100 face value, bearing the number C2477017E registered in the name of Koshiro Tofukuji, Japan, presently in Safe Deposit Box No. 50 at the Bank of Hawaii, Hamakua Branch, Honokaa, T. H., and under the control of Yoshiko Tofukuji, Honokaa, Hawaii, T. H., together with any and all rights thereunder and thereto,

h. Sixty (60) Tokyo Dento Kabushiki Kaisha, bearer, 1st Mortgage Gold Bonds, Dollar Series due 1953, of \$1,000 face value each, bearing the following serial numbers:

1134	23050	32099	48661
7239	23551	32189	48662
13440	23552	33234	48673
13441	23553	34107	48674
13442	23554	34108	53470
13443	26105	36914	54373
13444	28187	36915	55533
13445	29192	40970	56748
13446	29349	41549	57558
13447	29433	42086	57755
13448	31642	42087	61316
16449	31643	42977	61317
16450	31649	44119	61318
16451	31777	47095	61319
22575	31973	47798	61320

presently in Safe Deposit Box No. 50 at the Bank of Hawaii, Hamakua Branch, Honokaa, T. H., and under the control of Yoshiko Tofukuji, Honokaa, Hawaii, T. H., together with any and all rights thereunder and thereto, and

i. Household furniture and furnishings, surgical and medical equipment and supplies owned by Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, presently stored on the premises numbered 136-150A Government Road, Honokaa, Hawaii, T. H., and/or in the possession of Dr. Mamoru Tofukuji, Maui, T. H., son of Dr. K. Tofukuji, also known as Koshiro Tofukuji and as K. Tofukuji, including but not limited to the property described in Exhibit B, attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-a and 2-b hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-c—2-i hereof, inclusive.

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on January 26, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

An undivided one-half ($\frac{1}{2}$) interest in and to the following described parcel of land:

All of that certain parcel of land (portion of the land described in and covered by Royal Patent Grant Number 1073 to George Hardy), situate, lying and being at Honokaa, in the District of Hamakua, Island, County and Territory of Hawaii, and thus bounded and described:

Beginning at a point on the mauka side of the government road which point is the North West corner of W. Heeb's lot; thence running by true azimuths:

1. 17° 00' 214 feet along Heeb's lot;
2. 292° 30' 44 feet along same;
3. 17° 00' 123 feet along De la Nux's lot;
4. 113° 30' 264 feet along cane field;
5. 199° 30' 241 feet along Grote's lot;
6. 292° 30' 50 feet along Ferreira's lot;
7. 202° 30' 87 feet along same;
8. 292° 30' 145 feet along mauka side of government road to initial point.

Containing an Area of 1.6 acres or thereabouts.

EXHIBIT B

Units:	Description
1-----	Sun lamp.
1-----	Carbon lamp.
1-----	Heat lamp.
1-----	Instrument case, glass.
11-----	Beds.
2-----	Book cases.
2-----	Dresser stands.
1-----	Living room suite.
1-----	Dining room suite.
1-----	Frigidaire.
1 set...	Dishes.
1 lot...	Linen, household.
1-----	X-ray machine, Victor General Electric 1917 model.
1-----	Generator, Victor KX4, model 1939.
1-----	X-ray machine, "WANTZ", Victor, 1917.
1 set...	Eye, ear, nose and throat instruments.
1 set...	Gaenocology operation instruments.
1 set...	Obstetric instruments.

[F. R. Doc. 49-815; Filed, Feb. 2, 1949;
8:58 a. m.]